

11/2/77
RESOLUTION NO. 156

WHEREAS, this Board did on October 3, 1977 receive a petition requesting the zoning of Charles A. and Laura H. Fricke property, as described in said petition and shown on map submitted therewith, and

WHEREAS, the petition was signed by one hundred percent (100%) of the freeholders within such area, and thereafter public hearing was held, as required by law, by the Ravalli County Planning and Zoning Commission on November 3, 1977 at which time the petition was granted, and

WHEREAS, Resolution No. 155 containing the provisions for proper description and regulations controlling the zoning of area petitioned for was passed and adopted by the Ravalli County Planning and Zoning Commission under the date November 3, 1977, and made a part of the zoning records.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Ravalli County, Montana, do hereby approve and accept the recommendations of the County Planning and Zoning Commission of Ravalli County Planning and Zoning District No. 8 within the boundaries described as follows:

Lots One (1) through Thirteen (13), inclusive, of Block One (1), in Riverview Orchards, Ravalli County, Montana, according to the recorded plat thereof.

and;

All that part of the Northwest One Quarter Northeast One Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section Twelve, Township 10 North, Range 20 West, M.P.M., which lies East of the Bitterroot River, Ravalli County, Montana.

PASSED AND ADOPTED THIS 3rd DAY OF NOVEMBER, 1977.

RAVALLI COUNTY COMMISSIONERS

Jim McKinley
Jim McKinley, Chairman

D.W. Galbraith
D.W. Galbraith, County Commissioner

Hugh C. Cumming
Hugh C. Cumming, County Commissioner

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RESOLUTION NO. 155

BE IT RESOLVED, that whereas a petition was filed with the Board of County Commissioners of Ravalli County, Montana, for the creation of a Planning and Zoning District for Charles A. and Laura H. Fricke property within the boundaries described in said petition and shown on map submitted therewith, and

WHEREAS, the petition was filed by one hundred percent (100%) of the freeholders within such area, and

WHEREAS, the County Commissioners thereupon appointed a Planning and Zoning Commission in accordance with the provisions of Chapter 41, Title 16, R.C.M. 1947, as amended, and

WHEREAS, the Planning and Zoning Commission thereafter, by order, directed that notice of a public hearing be given as required by law, and such notice was thereafter given and a public hearing held.

NOW THEREFORE, it is ordered and this does order that there is hereby created Ravalli County Planning and Zoning District #8, said district is more particularly described as follows:

Lots One (1) through Thirteen (13), inclusive, of Block One (1), in Riverview Orchards, Ravalli County, Montana, according to the recorded plat thereof.

and;

All that part of the Northwest One Quarter Northeast One Quarter (NW-1/4 NE-1/4) of Section Twelve, Township 10 North, Range 20 West, M.P.M., which lies East of the Bitterroot River, Ravalli County, Montana.

IT IS FURTHER ORDERED, and this does order, that the following shall govern the use of lands and structures within the Planning and Zoning District #8:

- A. EXISTING USES - Land within the proposed district is currently used primarily for agricultural and residential purposes, and such existing uses may be continued subsequent to the adoption of any development pattern for the district.
- B. LOT SIZES - All lots created for sale, conveyance, lease, or rent shall be a minimum of one (1) acre in size; provided, however, that where an adequate supply of potable water exists, provisions for disposal of waste and sewage are adequate to meet all requirements of state and local regulations, and all requirements of the Montana Subdivision and Platting Act have been met, lots of smaller size may be created.
- C. PERMITTED USES -
 - 1. Land within the zoning district may be used for residential purposes.
 - 2. Land within the zoning district may be used for agricultural purposes including but not limited to the following:
 - a. Raising of crops
 - b. Raising of livestock
 - c. Raising and harvesting of timber
 - 3. Land within the zoning district may be used for industrial and commercial purposes providing said use does not constitute an actionable nuisance and complies with all applicable federal, state and local standards regarding degradation of the air and water.

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D. BUILDING REQUIREMENTS AND RESTRICTIONS -

1. All dwelling structures and improvements thereto shall be constructed so as to comply with FHA standards existing at the time of construction.
2. All structures incidental to use of the land for agricultural purposes shall be maintained in reasonably good condition and repair: no shacks or delapidated structures shall be permitted.
3. All structures shall be a minimum of 15 feet from the boundary line of the parcel on which they are constructed.

E. GENERAL PROVISIONS -

1. All garbage and trash cans shall be stored so as to be screened from view and shall have tight covers.
2. Trash and junk cars shall not be accumulated or stored on the premises unless in enclosed buildings.
3. Owners of any tract hereby zoned shall comply with all state laws and regulations and county regulations as to sanitary restrictions.

- F. SEVERABILITY - If any provision herein or its application to any person or circumstances is held invalid, the remainder of the provisions herein or the application of the provision to other persons or circumstances is not affected.

PASSED AND ADOPTED THIS 3rd DAY OF NOVEMBER, 1977.

PLANNING AND ZONING COMMISSION

Jim McKinley
Jim McKinley, County Commissioner

D.W. Galbraith
D.W. Galbraith, County Commissioner

Hugh Q. Cumming
Hugh Q. Cumming, County Commissioner

R. David Schurian
R. David Schurian, County Surveyor

Cheryl A. Richards
Cheryl A. Richards, County Assessor

STATE OF MONTANA)
)
COUNTY OF RAVALLI) ss

This is to certify that I, Reba C. Falk, did post copies of Notice of Public Hearing on petition for creation of Planning and Zoning District for Charles A. and Laura H. Fricke property, in the following places:

1. On a gate post one half mile north on Woodchuck Road.
2. On a fence post at entrance to Fricke Ranch.
3. On a telephone pole at the corner of lower Woodchuck and Eight Mile Road.

Reba C. Falk

Reba C. Falk, Secretary
RAVALLI COUNTY COMMISSIONERS

Suscribed and sworn to before me this 19th day of October, 1977.

Darlene E. Hughes
Notary Public for the State of Montana
Residing at Hamilton, Montana
My Commission Expires: April 1, 1980

SEAL

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Notice of Public Hearing on Adoption of
Planning and Zoning District and Adoption of Development
Pattern Therefor

Notice is hereby given that a petition has been filed for the creation of
a Planning and Zoning District in the area within the following boundaries
to-wit:

Lots One (1) through Thirteen (13), inclusive, of Block
One (1), in Riverview Orchards, Ravalli County, Montana,
according to the recorded plat thereof.

and;

All that part of the Northwest One Quarter Northeast One
Quarter (NW-1/4 NE-1/4) of Section Twelve, Township 10
North, Range 20 West, M.P.M., which lies East of the
Bitterroot River, Ravalli County, Montana.

Map of area is on file with said petition.

That pursuant to such petition, the Board of County Commissioners
create and appoint a Planning and Zoning Commission. That the Planning
and Zoning Commission will, on the 30th day of November, 1977, at the
hour of 10:00 a.m. at the office of the County Commissioners in the
Courthouse in Hamilton, Montana, hold a public hearing at which the Com-
mission will consider:

1. The creation of a Planning and Zoning District within
the boundaries aforesaid.
2. The adoption of a development pattern for said district
and the building and use restrictions to be made applicable
thereof.

The Commission will consider the types of activity that may be conducted
therein and the existing non-conforming uses which may be continued.

All persons affected by the proposed Planning and Zoning District will
be given an opportunity to be heard; to contest or support the adoption of
such development district by the Planning and Zoning Commission and the adoption
of a development plan therefor.

By Order of the Planning and Zoning Commission, dated the 17th day of
October, 1977.

Published Oct. 19, 1977

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RESOLUTION NO. 149

WHEREAS, a petition was duly filed with the Board of County Commissioners of Ravalli County, petitioning for the creation of a Planning and Zoning District in the area within the following boundaries to-wit:

Lots One (1) through Thirteen (13), inclusive, of Block One (1), in Riverview Orchards, Ravalli County, Montana, according to the recorded plat thereof.

and;

All that part of the Northwest One Quarter Northeast One Quarter (NW-1/4 NE-1/4) of Section Twelve, Township 10 North, Range 20 West, M.P.M., which lies East of the Bitterroot River, Ravalli County, Montana.

Map of area is on file with said petition.

WHEREAS, it appears that 100 percent of the freeholders affected thereby have signed said petition which is in due form.

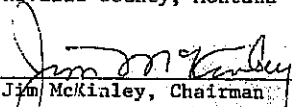
NOW, THEREFORE, it is ordered that a Planning and Zoning District, embracing the lands within the boundaries aforesaid, is created.

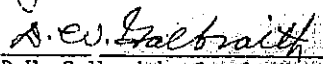
IT IS FURTHER ORDERED that a Planning and Zoning Commission be created and the persons appointed thereon are: The County Commissioners of Ravalli County, being Jim McKinley, D.W. Galbraith and Hugh Cumming; the County Assessor of Ravalli County, being Cheryl A. Richards; the County Surveyor of Ravalli County, being R. David Schurian.

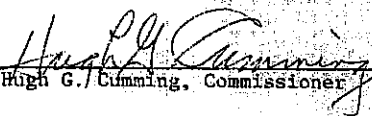
IT IS FURTHER ORDERED that the Planning and Zoning Commission proceed in accordance with the provisions of Title 16, Chapter 41, R.C.M. 1947, as revised.

DATED this 12th day of October, 1977.

Board of County Commissioners
Ravalli County, Montana


Jim McKinley, Chairman


D.W. Galbraith, Commissioner


Hugh G. Cumming, Commissioner

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PETITION FOR ZONING DISTRICT

We, the undersigned, being the owners and freeholders of one hundred percent (100%) of the real property described and set forth in Exhibit "A" attached hereto, respectfully petition the Board of County Commissioners of Ravalli County, Montana, pursuant to the provisions of Title 16, Chapter 41 of the Revised Codes of Montana, 1947, to order and create a Planning and Zoning District for the area encompassed by and described in Exhibit "A" attached for the general welfare of the people of Ravalli County.

Your Petitioners respectfully request that the Planning and Zoning Commission for said Planning and Zoning District make and adopt a development pattern for the physical and economic development of said district which will make the following provisions for the use of property within said district:

- A. EXISTING USES - Land within the proposed district is currently used primarily for agricultural and residential purposes, and such existing uses may be continued subsequent to the adoption of any development pattern for the district.
- B. LOT SIZES - All lots created for sale, conveyance, lease, or rent shall be a minimum of one (1) acre in size; provided, however, that where an adequate supply of potable water exists, provisions for disposal of waste and sewage are adequate to meet all requirements of state and local regulations, and all requirements of the Montana Subdivision and Platting Act have been met, lots of smaller size may be created.
- C. PERMITTED USES-
 1. Land within the zoning district may be used for residential purposes.
 2. Land within the zoning district may be used for agricultural purposes including but not limited to the following:
 - a. Raising of crops
 - b. Raising of livestock
 - c. Raising and harvesting of timber
 3. Land within the zoning district may be used for industrial and commercial purposes providing said use does not constitute an actionable nuisance and complies with all applicable federal, state and local standards regarding degradation of the air and water.

EXHIBIT "A"

Lots One (1) through Thirteen (13), inclusive, of Block One (1),
in Reerview Orchard, Ravalli County, Montana, according to the
recorded plat thereof.

and;

All that part of the Northwest One Quarter Northeast One
Quarter (NW-1/4 NE-1/4) of Section Twelve, Township 10 North,
Range 20 West, M.P.M., which lies East of the Bitterroot River,
Ravalli County, Montana.

copy made on file with said plat.

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D. BUILDING REQUIREMENTS AND RESTRICTIONS -

1. All dwelling structures and improvements thereto shall be constructed so as to comply with FHA standards existing at the time of construction.
2. All structures incidental to use of the land for agricultural purposes shall be maintained in reasonably good condition and repair: no shacks or dilapidated structures shall be permitted.
3. All structures shall be a minimum of 15 feet from the boundary line of the parcel on which they are constructed.

E. GENERAL PROVISIONS -

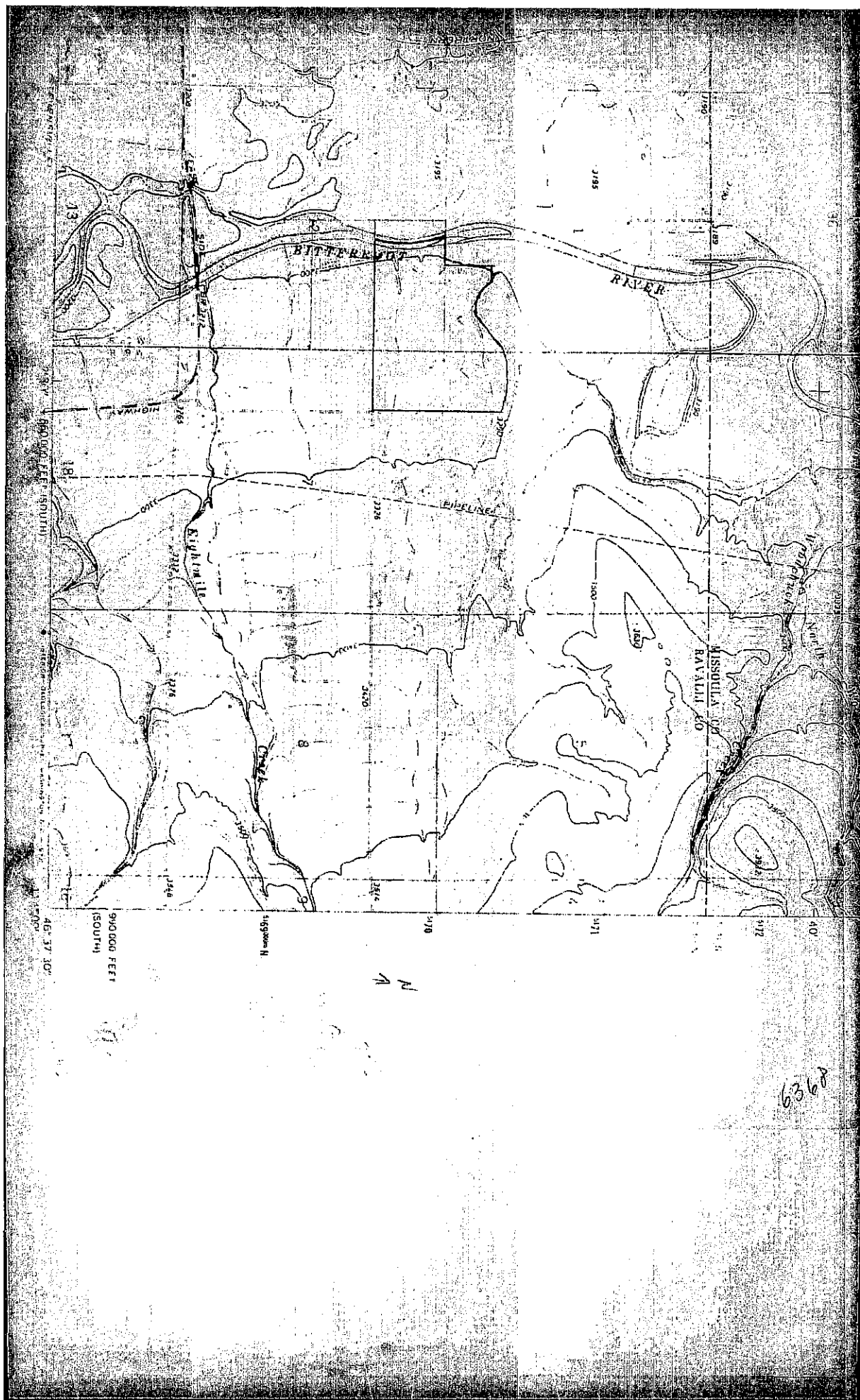
1. All garbage and trash cans shall be stored so as to be screened from view and shall have tight covers.
2. Trash and junk cars shall not be accumulated or stored on the premises unless in enclosed buildings.
3. Owners of any tract hereby zoned shall comply with all state laws and regulations and county regulations as to sanitary restrictions.

- F. SEVERABILITY - If any provision herein or its application to any person or circumstances is held invalid, the remainder of the provisions herein or the application of the provision to other persons or circumstances is not affected.

RESPECTFULLY SUBMITTED this 3rd day of October, 1977.

Charles A. Fricke
Charles A. Fricke

Laura H. Fricke
Laura H. Fricke



4-1368

227623

I certify that I received and filed this

statement on this 15th day of Nov. 1937 at 11:10

o'clock A. M.

Darlene E. Hughes

MINIST. RECORDER

Aug 7, 1937

BY

no fee